

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Improving Public Safety Communications)	
in the 800 MHz Band)	Docket No. 02-55
)	
Gilcomm, LLC.)	

ORDER

Adopted: November 26, 2013

Released: November 26, 2013

By the Deputy Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau

I. INTRODUCTION

1. Under consideration is the “Request for Waiver Related to Commission November 20, 2013 Deadline for Submission of Estimates” (Request) filed by Gilcomm, LLC (Gilcomm) seeking an extension of time within which to file a rebanding cost proposal with Sprint Corporation (Sprint) as part of the Commission’s 800 MHz band reconfiguration initiative.¹

II. DISCUSSION

2. Gilcomm operates an EDACS 800 MHz trunked network and an EF Johnson 800 MHz LTR network in the Bakersfield, California area.² Gilcomm submits that 21 of its authorized channels must be rebanded.³ It states that a substantial amount of cost data has been collected and a partial Transition Plan has been drafted.⁴ However, given the mix of EDACS and LTR operations, Gilcomm submits that additional time to complete estimates will be required as some issues have arisen that must be resolved to assure that the estimates are accurate.⁵ Gilcomm requests a short extension of time until December 2, 2013 to submit its cost estimate to Sprint.⁶

III. DECISION

3. Section 1.46 of the Commission’s rules provides “It is the policy of the Commission that extensions of time shall not be routinely granted.”⁷ The import of that rule is especially relevant to 800

¹ Request for Waiver Related to Commission November 20, 2013 Deadline for Submission of Estimates submitted by Gilcomm, LLC, (Nov. 20, 2013) *re* WNNJ606.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ 47 C.F.R. § 1.46.

MHz rebanding where delay in rebanding by one licensee can cause a “domino effect” delay in the rebanding efforts of other licensees that have met the Commission’s 800 MHz band reconfiguration deadlines, with a consequent delay of the overall program. We therefore afford a high degree of scrutiny to the reasons licensees advance for extensions of time.⁸

4. In the instant matter, the extension of time requested is relatively modest and it is apparent that the licensee has exercised diligence in drafting a partial Transition Plan and seeking to ensure the accuracy of its costs estimates. We therefore are granting the requested extension, with the caveat to the licensee that, upon submission of the cost proposal, it must diligently pursue the negotiation process with Sprint and timely conclude an FRA.

IV. ORDERING CLAUSES

5. Accordingly, IT IS ORDERED that the Request for Waiver Related to Commission November 20, 2013 Deadline for Submission of Estimates filed by Gilcomm, LLC, IS GRANTED.

6. IT IS FURTHER ORDERED that Gilcomm, LLC, SHALL SUBMIT to Sprint Corporation, a cost proposal for reconfiguration of 800 MHz facilities, call sign WNNJ606, by December 2, 2013.

7. This action is taken under delegated authority pursuant to Sections 0.191 and 0.392 of the Commission’s rules, 47 C.F.R. §§ 0.191, 0.392.

FEDERAL COMMUNICATIONS COMMISSION

Michael J. Wilhelm
Deputy Chief, Policy and Licensing Division
Public Safety and Homeland Security Bureau

⁸ See Regents of the University of California, WT Docket 02-55, *Order*, DA 13-2234, (PSHSB rel. Nov. 21, 2013).